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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,201	04/18/2001	Akihiro Hosokawa	109305	6504
25944	7590	11/16/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER WONG, KIN C	
			ART UNIT	PAPER NUMBER
			2651	16

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/836,201	<b>Applicant(s)</b> HOSOKAWA ET AL.	
	<b>Examiner</b> K. Wong	<b>Art Unit</b> 2651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/10/04</u> . | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 9/10/04 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims (1-11) are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaeger et al (6057975) in view of Shigeru ((2000-100104) - applicant supplied IDS).

Regarding claims 4, 10 and 11: Yaeger et al discloses an apparatus for adjusting the static angular position of a magnetic head unit including:

a magnetic head unit (element 40 in figure 3 of Yaeger et al) having a head support and a magnetic head, the head support including a flexible member (element 26 in figure 3) to which the magnetic head is mounted;

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an angular position modifying unit (as depicted in figure 7) for applying a bend onto the flexible member for adjusting the static angular position (see depiction of figure 3); and

a laser emitter unit (element 44 in figure 3) for irradiating a laser beam onto areas of the flexible member where the bend is applied. The limitations are consider satisfied because Yaeger et al discloses a laser control system for adjusting the head positioning in a drive (see col. 2, lines 19-12 of Yaeger et al).

However, Yaeger fails to mention a moveable arm that holds the flexible member (magnetic head unit) or a holder for the flexible member. Shigeru is relied for the teachings of a holder for the magnetic head unit (see page 4, para. [0026] and Figure 4 of Shigeru).

It would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the apparatus of Yaeger et al with the magnetic head adjustment of the magnetic head with a holder as taught Shigeru. The rationale is as follows: one of ordinary skill in art at the time of the invention was made would have been motivated to provide a corrected adjusting position for the adjustment as suggested in page 5, para. [0037] of Shigeru).

Regarding claim 5: Yaeger et al depicts in figures 3, 4 and 5 that wherein the head support includes a load beam which has a free end, the flexible member is jointed at one side to the free end of the load beam and at the other side to the magnetic head, and the laser emitter unit irradiates the laser beam onto areas of the flexible member,

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where the bend is applied, between the magnetic head and the joint between the flexible member and the load beam.

Regarding claims 6 and 7: Yaeger et al teaches that further comprising: a displacement measuring unit for detecting the bend of the flexible member; and a controller unit for controlling the action of the laser emitter unit and the angular position modifying unit based on a detection signal from the displacement measuring unit (in col. 2, lines 38-59 and col. 3, line 18 to col. 4, line 37 of Yaeger et al).

Regarding claims 8 and 9: the limitations of a laser beam shielding means for shielding a protected region from the laser beam are considered known because it is a known knowledge for artisan in the art to protect or localize the laser target region.

Regarding claims 1-3: method claims (1-3) are drawn to the method of using the corresponding apparatus claimed in claims (4-11). Therefore method claims (1-3) correspond to apparatus claims (4-11) and are rejected for the same reasons of obviousness as used above.

#### ***Allowable Subject Matter***

Claims (12 and 13) are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

regarding claims 12 and 13: the prior art of record neither discloses nor suggests the adjustment of magnetic head that based on the angular position adjusting apparatus which includes four movable arms that which are pin-like members, distal ends of which are arranged to be in direct contact with flange portions of the flexible member are considered known grip finger/clamps/jaws (or pin-like member) for jig to grip or hold down arm/head assembly when the assembly is out of the drive for head adjustment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Wong whose telephone number is (703) 305-7772.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (703) 305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kw

12 Nov 04

A handwritten signature in black ink, consisting of a stylized 'K' followed by a vertical line and a small hook at the bottom.